

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

THOMAS DILLARD,

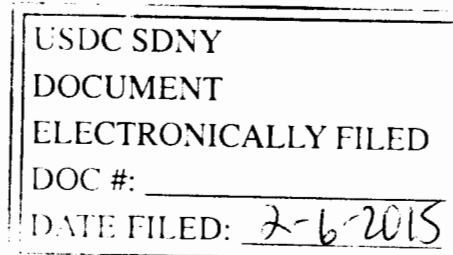
Plaintiff,

-against-

CAROLYN W. COLVIN,
acting Commissioner of Social Security,

Defendant.

No. 13CV6279-LTS-HBP



ORDER ADOPTING REPORT AND RECOMMENDATION

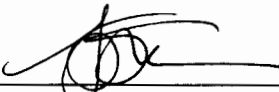
Thomas Dillard ("Plaintiff"), brings this action, pursuant to Section 205(g) of the Social Security Act (the "Act"), 42 U.S.C. section 405(g), seeking judicial review of the final determination of the Commissioner of Social Security (the "Commissioner") denying his application for Supplemental Security Insurance ("SSI") benefits. Plaintiff has moved for summary judgment pursuant to Rule 56(a) of the Federal Rules of Civil Procedure. Defendant has cross-moved for judgment on the pleadings pursuant to Rule 12(c) of the of the Federal Rules of Civil Procedure. Before the Court is the January 13, 2015, Report and Recommendation (the "Report") of Magistrate Judge Henry Pitman, recommending that Plaintiff's motion be denied and Defendant's motion be granted. No objections to the Report have been filed.

When reviewing a report and recommendation, the Court "may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate." 28 U.S.C.S. § 636(b)(1)(C) (LexisNexis 2012). "To accept the report and recommendation of a magistrate, to which no timely objection has been made, a district court need only satisfy itself that there is no clear error on the face of the record." Wilds v. United Parcel Service, Inc., 262 F. Supp. 2d 163, 169 (S.D.N.Y. 2003) (internal citations and quotation marks omitted)).

Having reviewed Magistrate Judge Pitman's thorough and well-reasoned Report, to which no objection was made, the Court finds no clear error. Therefore, the Court adopts the Report in its entirety. Accordingly, the Court denies Plaintiff's motion and grants Defendant's motion. The Clerk of Court is respectfully requested to enter judgment in favor of Defendant affirming the decision of the Commissioner and to terminate this case. This Order resolves docket entry numbers 12 and 20.

SO ORDERED.

Dated: New York, New York
February 6, 2015



LAURA TAYLOR SWAIN
United States District Judge